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			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/574,239

Applicant(s)

CLARK, WILLIAM ALLAN

Examiner

ECE HUR

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☒ Claim(s) 5,6,10,12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 03/30/2006.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

This action is responsive to application filed on March 30, 2006 in which claims 1 to 13 are presented for examination. This application is a national stage entry of PCT/EP04/52409, filed on October 1, 2004 and it is claiming foreign priority for application 032314.8, filed 10/03/2003, United Kingdom.

Status of Claims

Claims 1-13 are pending in the case. Claims 1 and 10 are the independent claims. Claims 1-13 are rejected under 35 U.S.C. 102(b). Claims 5, 6, 10 and 12 are objected.

Information Disclosure Statement Acknowledgement

The information disclosure statement filed on March 30, 2006 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been placed in the application file, the information referred to therein has been considered as to the merits.

Priority Acknowledgement

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). Receipt is acknowledged of certified copy of United Kingdom Patent Application 032314.8, submitted on March 30, 2006 under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

Claims 5, 6 and 10 are objected to because of the following and/or phrase renders the scope of the claims indefinite. Appropriate correction is required.

Claim 12 is objected to because improper numbering, there is another independent claim, "Claim 10" is in between, wherein Claim 12 depends on Claim 1.

The Claims are objected to because minor spelling errors such as "characterised". Applicant's cooperation is requested in correcting any other errors of which applicant may become aware in the Claims. Correction is required.

Specification Objections

The specification is objected to because minor spelling errors such as "recognised", "realised", "seperate", "recognises", "customise". Applicant's cooperation is requested in correcting any other errors of which applicant may become aware in the specification. Correction is required.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Svilka et al., US 6,061,695.

Regarding Claim 1, Svilka discloses in US Patent 6061695, the claimed aspect of an electronic device comprising a user interface, a memory element, operably coupled to the user interface, which stores one or more files to be represented on the user interface and a processor, operably coupled to the user interface and memory element in FIG. 1, wherein a block diagram of a computer system to implement a method and apparatus illustrated to enhance an operating system shell for incorporating multimedia. More specifically, the input device 28 can comprise a keyboard, a mouse, a physical transducer (e.g., a microphone), etc. and the output device 30 can comprise a display, a printer, a transducer (e.g., a speaker), etc. (Svilka, Page 5, Paragraph 25). Furthermore, Svilka discloses that the computer system 20 includes an operating system and at least one application program and the operating system is the set of software, which controls the computer system's operation, and the allocation of resources. The application program is the set of software that performs a task desired by the user, using computer resources made available through the operating system, both are resident in the illustrated memory system 26. (Svilka, Page 5, Paragraph 35).

Svilka discloses the claimed aspect of processor comprises a shell application for representing the one or more files on the user interface and the electronic device characterized in that the one or more files is/are configured with an executable code, such that the shell application runs the executable code of the one or more files to

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provide to the user interface a representation of the one or more files in FIG. 1 and FIG. 2, wherein a shell 50 for an operating system of the computer 20 (FIG. 1) provides a graphical user interface for a user of the computer to interact with the operating system. The graphical user interface includes a desktop display 52 presented on a video screen of the computer's output device 30 (FIG. 1). More specifically, in Fig. 2 shell 50 obtains the hypertext page 56 from which a view in the graphical user interface is synthesized from processing a stored hypertext template, or alternatively directly from a stored hypertext page. In the former case, the shell 50 includes a pre-processor 60 which synthesizes the hypertext page 56 from one or more of a set of templates 62 and one or more desktop interface controls 64. The templates 62 are files, which contain data in the HTML format, which is to be incorporated into the hypertext page 56, and additionally include pre-processor directives. The directives are instructions to the pre-processor for converting soft parameters into html-formatted data in the hypertext page 56. The templates for each of the views in the illustrated shell are shown in the following Table 1. Furthermore, in FIG. 2 shell 50 accesses Templates 62, Configuration Files 66 and Hypertext Page 56. (Svilka, Page 6, Paragraphs 55-60).

Additionally, Silberschatz and Galvin discloses the claimed aspect of using the one or more files, wherein Shell programming could be used to combine ordinary programs conveniently for sophisticated applications without the necessity of any programming in conventional languages. (Silverschatz and Galvin, Page 666, Paragraph 3, lines 6-8).

Furthermore, Richards discloses in US Patent 6,164,549 the claimed aspect of

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a memory element, a processor and wherein the processor comprises a shell application for representing the one or more files that are configured with an executable code, such that the shell application runs the executable code of the one or more files to provide selected information to the user, wherein an integrated circuit card includes a microprocessor; a memory coupled to the microprocessor; data stored in the memory representative of the operating mode and an operating system stored in the memory for processing selected information in a first IC card format and a shell application stored in the memory for processing the selected information in a second IC card format; and means for routing the selected information to either the operating system or the shell application responsive to the operating mode. Additionally, Richards discloses that the selected information may be a command, such as a file access command or the selected information may be associated with a file structure format. (Richards, Page 2, Paragraphs 10-20).

Regarding Claim 2, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Svilka discloses the claimed aspect of executable code of the one or more files comprises multiple respective representations of the one or more files wherein, shell synthesizes the display for the desktop into a hypertext multimedia document format (the HTML format, for example) and the synthesized document includes the graphical icon oriented and menu driven user interface elements of the desktop, and also can include multi-media enhancements, such as text, graphics, sounds, animations, video, hypertext links, etc. These

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enhancements can add informative or explanatory content to the desktop, or otherwise customize the appearance and/or behavior of the desktop. The shell also acts as a hypertext multimedia document viewing software to display the synthesized document as the desktop in a graphical user interface, preferably as a full-screen background display to a windowing environment. (Svilka, Pages 3, Paragraphs 15-30).

Regarding Claim 3, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Svilka discloses the claimed aspect of shell application searches the memory element for the one or more files containing executable code, wherein shell also synthesizes hypertext multimedia documents for display as the folder views and other displays in the shell's graphical user interface. The hypertext multimedia documents for the various displays are synthesized from templates which are identified in a configuration or ".ini" file. When the user navigates to one of the displays, "the shell looks up" the appropriate template to use for the display. The shell then processes the template into a hypertext multimedia document with embedded objects to provide the user interface elements required for the display (e.g., the graphical icons and drag and drop functionality in a folder view). The synthesized document is then displayed by the shell. The shell is thus able to provide multi-media content enhancements to these additional shell displays. (Svilka, Page 3-4, Paragraphs 55-65).

Additionally, Silberschatz and Galvin, in Operating System Concepts, discloses the claimed aspect of that shell application searches the memory element for the one or

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more files containing executable code, wherein for each command, each of the directories in the search path is searched, in order, for a file of the same name. If a file is found, it is loaded and executed, furthermore the search path can be set by the user. (Silverschatz and Galvin, Page 664, Paragraph 4, lines 3-5).

Regarding Claim 4, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Svilka achieves the claimed aspect of shell application exports an application programming interface for use by the one or more files in FIG. 2, wherein shell application exports an application programming interface to Desktop Display 52 by using the Templates 62, Configuration files 66 and Hypertext Page 56.

Regarding Claim 5, most of the limitations have been met in the rejection of Claim 4. See the rejection of Claim 4 for details. Svilka discloses the claimed aspect of the application programming interface supports a set of user interface features of the one or more files, for example an indication of one or more of the following: an area and/or size of a display, a number of colours to be used in a representation, a type of display to be used, wherein the shell synthesizes a hypertext page for display as the desktop in the graphical user interface. The hypertext page has an embedded software object which provides graphical icon-oriented and menu-driven user interface elements for activating operating system services in the displayed hypertext page and the shell also provides windowed hypertext pages for managing file system folders. The shell synthesizes the

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hypertext pages from templates which can be edited to incorporate a variety of with the user interface elements in the graphical user interface. (Svilka, Multi-Media Enhancements, See Abstract).

Regarding Claim 6, most of the limitations have been met in the rejection of Claim 4. See the rejection of Claim 4 for details. Svilka achieves the claimed aspect of shell application represents the one or more files, dependent upon a file type and/or an additional associated file in FIG. 2, wherein shell application exports an application programming interface to Desktop Display 52 by using the Templates 62, Configuration files 66 and Hypertext Page 56 as additional associated files.

Regarding Claim 7, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Svilka achieves the claimed aspect of additional files that can be executed comprise one or more of the following: a part or a whole of an application protocol interface bitmap, one or more sound files, an attribute or feature of a display in Table 1, wherein various file names are illustrated, for example audio files are illustrated in Table 1. More specifically the templates are listed in Table 1 are related one-to-one with folders and are used to synthesize a hypertext page for a display associated with the related folders. Some of the folders correspond to actual directories in a file system of the computer's memory system 26 (FIG. 1). For example, each of the "windows folder," "root of hard disk," and "my documents" folders correspond to actual file system directories. The displays associated with these folder generally represent (at

least in part) the contents of the corresponding directory, and are called "folder views." Others of the folders (termed "virtual folders") do not correspond to any file system directory. Accordingly, the displays associated with these folders generally do not represent the contents of a file system directory. For example, the "my computer" folder is a virtual folder. (Svilka, Page 7, Paragraphs 30-40).

Furthermore, the templates listed in Table 1 are for producing displays associated with a set of standard folders in the Windows.RTM. operating system. In addition to these standard folder templates listed in table 1, the templates 62 also can include additional templates for non-standard folders (herein called "custom templates"), such as folders corresponding to file system directories created by a user or added by a software installation program. For example, an installation program of an application software product (such as a productivity software, computer game, or utility software) that creates a new folder in which to install the application software's files also can add a template associated with the folder to the set of templates 62. When the newly created folder is viewed in the graphical user interface, the shell 52 uses this added custom template to produce a folder view display representing the newly created folder's contents. These added custom templates can contain multimedia content enhancements specific to the new folder, such as graphic images, text, hyperlinks, or software objects relating to the application software product or its vendor. (Svilka, Page 8, Paragraphs 45-60).

Regarding Claim 8, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Svilka discloses the claimed aspect of user interface is a display, such that the shell application represents the one or more files running on the electronic device as, say, an icon of the application, wherein the hypertext page has an embedded software object which provides graphical icon-oriented and menu-driven user interface elements for activating operating system services in the displayed hypertext page and the shell also provides windowed hypertext pages for managing file system folders. (Svilka, See Abstract).

Regarding Claim 9, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Svilka discloses the claimed aspect of the electronic device in FIG. 1, wherein a block diagram of a computer system that may be used to implement a method and apparatus embodying the invention for incorporating multi-media enhancements to an operating system shell.

Regarding Claim 10, Svilka discloses the claimed aspect a method of representing one or more applications on an electronic device comprising the steps of activating a user interface, such as a display and scanning by a shell application, one or more directories and/or files that is/are available within the electronic device to be represented to a user, wherein the method is characterized by the steps of identifying, by the shell application, code for files and/or aspects of files that can be executed; executing, by the shell application, the identified executable code; and representing the

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executable code on the user interface, wherein Svilka discloses the claimed aspect of processor comprises a shell application for representing the one or more files on the user interface and the electronic device characterized in that the one or more files is/are configured with an executable code, such that the shell application runs the executable code of the one or more files to provide to the user interface a representation of the one or more files in FIG. 1 and FIG. 2, wherein a shell 50 for an operating system of the computer 20 (FIG. 1) provides a graphical user interface for a user of the computer to interact with the operating system. The graphical user interface includes a desktop display 52 presented on a video screen of the computer's output device 30 (FIG. 1). More specifically, in Fig. 2 shell 50 obtains the hypertext page 56 from which a view in the graphical user interface is synthesized from processing a stored hypertext template, or alternatively directly from a stored hypertext page. In the former case, the shell 50 includes a pre-processor 60 which synthesizes the hypertext page 56 from one or more of a set of templates 62 and one or more desktop interface controls 64. The templates 62 are files which contain data in the HTML format which is to be incorporated into the hypertext page 56, and additionally include pre-processor directives. The directives are instructions to the pre-processor for converting soft parameters into html formatted data in the hypertext page 56. The templates for each of the views in the illustrated shell are shown in the following Table 1. Furthermore, in FIG. 2 shell 50 accesses Templates 62, Configuration Files 66 and Hypertext Page 56. (Svilka, Page 6, Paragraphs 55-60).

More specifically Svilka discloses the claimed aspect of shell application scanning the memory element for the one or more files containing executable code, wherein shell

also synthesizes hypertext multimedia documents for display as the folder views and other displays in the shell's graphical user interface. The hypertext multimedia documents for the various displays are synthesized from templates which are identified in a configuration or ".ini" file. When the user navigates to one of the displays, "the shell looks up" the appropriate template to use for the display. The shell then processes the template into a hypertext multimedia document with embedded objects to provide the user interface elements required for the display (e.g., the graphical icons and drag and drop functionality in a folder view). The synthesized document is then displayed by the shell. The shell is thus able to provide multi-media content enhancements to these additional shell displays. (Svilka, Page 3-4, Paragraphs 55-65).

Regarding Claim 11, most of the limitations have been met in the rejection of Claim 10. See the rejection of Claim 10 for details. Svilka discloses the claimed aspect of a method of representing one or more applications on an electronic device according to claim 10, wherein the identified executable code relates to one or more applications or items of data of the electronic device to be represented, such that the executable code of the one or more applications or items of data determines how the one or more applications or items of data are to be represented, wherein, shell synthesizes the display for the desktop into a hypertext multimedia document format (the HTML format, for example) and the synthesized document includes the graphical icon oriented and menu driven user interface elements of the desktop, and also can include multi-media enhancements, such as text, graphics, sounds, animations, video, hypertext links, etc.

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These enhancements can add informative or explanatory content to the desktop, or otherwise customize the appearance and/or behavior of the desktop. The shell also acts as a hypertext multimedia document viewing software to display the synthesized document as the desktop in a graphical user interface, preferably as a full-screen background display to a windowing environment. (Svilka, Page 3, Paragraphs 15-30).

Regarding Claims 12 and 13, most of the limitations have been met in the rejection of Claim 1 and 10. See the rejection of Claim 1 for details. Svilka discloses the claimed aspect of a storage medium storing processor-implementable instructions for controlling one or more processors in the electronic device according to claim 1 in FIG. 1, wherein the illustrated CPU 24 is of familiar design and includes an ALU 34 for performing computations, a collection of registers 36 for temporary storage of data and instructions, and a control unit 38 for controlling operation of the system 20. (Svilka, Page 5, Paragraph 6).

Furthermore, Svilka discloses a memory system 26 generally includes high-speed main memory 40 in the form of a medium such as random access memory (RAM) and read only memory (ROM) semiconductor devices, and secondary storage 42 in the form of long term storage mediums such as floppy disks, hard disks, tape, CD-ROM, flash memory, etc. and other devices that store data using electrical, magnetic, optical or other recording media. The main memory 40 also can include video display memory for displaying images through a display device. Those skilled in the art will recognize that

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the memory 26 can comprise a variety of alternative components having a variety of storage capacities. (Svilka, Page 5, Paragraph 15-20).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- 1) Curley et al., US 5,675,771, 10/07/1997, "Mechanism for enabling emulation system users to directly invoke a number of host system facilities for executing host procedures either synchronously or asynchronously in a secure manner through automatically created shell mechanisms".
- 2) Rylander, US 5,917,486, 06/29/1999, "System and method for client program control of a computer display cursor".
- 3) Straub, et al., US 6,091,411, 07/18/2000, "Dynamically updating themes for an operating system shell".
- 4) Richards, US 6,164,549, 12/26/2000, "IC card with shell feature".
- 5) Han, US 6,718,334, 04/06/2004, "Computer implemented document and image management system".

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6) Styles, US 6,871,221 , 03/22/2005, "Method and apparatus to manage network client logon scripts using a graphical management and administration tool".

7) Schnarel, et al., US 7,225,409, 05/29/2007, "Graphical user interface for a screen telephone".

8) OPERATING SYSTEM CONCEPTS, SILBERSCHATZ AND GALVIN, FIFTH EDITION, 1997, Pages: 664, 666.

9) KR20040050460, Lee Yeong GI, "Shell Emulator for Pocket PC and Emulation Method Thereof, and PDA Including the Same".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ECE HUR whose telephone number is (571) 270-1972. The examiner can normally be reached on MONDAY-THURSDAY 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, FRANTZ COBY can be reached on (571) 272-4017. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business

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Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

Customer Service Representative or access to the automated information system, call

800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ece Hur
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August 23, 2007


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SUPERVISORY PATENT EXAMINER